

# COMMITTEE AMENDMENT FORM

DATE: 05/30/07

COMMITTEE      ZONING      PAGE NUM. (S)    

ORDINANCE I. D. #06-O-2309      SECTION (S)

RESOLUTION I. D. #07-R-      PARA.

AMENDS THE LEGISLATION BY ADDING FIVE (5) PAGES OF CONDITIONS  
AND A SITE PLAN DATED 04/20/07.

AMENDMENT DONE BY COUNCIL STAFF 05/30/07

City Council  
Atlanta, Georgia

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-06-112  
Date Filed: 10-05-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **2561 Bolton Road N.W., 2338, 2346, 2358, 2372, 2380 and 2390 Coronet Way, N.W., 2400 Coronet Way, N.W., and 2611 Bolton Road, N.W.,** be changed from the C-1 (Community Business) District to the C-3-C (Commercial Residential-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land 130 of the 17<sup>th</sup> District Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

## **EXHIBIT A**

### **Conditions**

#### **Z-06-112 -- Moores Mill Shopping Center Applicant: Coronet Way, LLC**

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1. This zoning is conditioned on a site plan entitled "Zoning Site Plan, Moores Mill Center Mixed-Use Redevelopment, City of Atlanta, Georgia, Marietta Blvd. Between Coronet Way and Bolton Road" prepared by Haines, Gipson & Associates dated April 20, 2007.
2. A maximum of 345 residential units may be constructed.
3. Exterior building materials:
  - (a) Vinyl siding and solid vinyl windows are prohibited.
  - (b) Exterior insulation finish systems (EIFS) is allowed only as an accent material provided it covers no more than ten percent (10%) of the exterior façade of any single building.
  - (c) No more than sixty percent (60%) of the exterior façade of any single building shall be covered in hard-coat stucco; provided, however, that this restriction shall not apply to interior courtyards or building areas not visible from a public street.
  - (d) Additional requirements for all public street-facing facades facing Marietta Boulevard:
    - (i) Such facades shall be faced in brick; glass; terracotta; stone; architecturally textured precast concrete or precast concrete with the appearance of brick, terracotta or stone; hard-coat stucco; or poured-in-place concrete;
    - (ii) Poured-in-place concrete shall be used only as a decorative element not to exceed fifteen (15%) percent of the first two stories of such facades;
    - (iii) Hard-coat stucco shall not exceed sixty (60%) percent of such façades and shall not exceed twenty (20%) percent of the first two stories of such façades; and
    - (iv) EIFS may be used as an accent material provided it covers no more than ten (10%) percent of such facades.
  - (e) Additional requirements for all public street-facing facades facing Coronet Way:
    - (i) Such facades shall be faced in brick, glass, terracotta, stone, hard-coat stucco, or poured-in-place concrete;

(ii) Poured-in-place concrete shall be used only as a decorative element not to exceed ten (10%) percent of the first two stories of such façades;

(iii) Hard-coat stucco shall not exceed sixty (60%) percent of such façades; and

(iv) Hard-coat stucco and EIFS (combined) shall not exceed fifteen (15%) percent of the first two (2) stories of such façades.

4. The City of Atlanta's design standards for Mixed Residential Commercial ("MRC") apply as described below with the following exceptions as noted:

- (a) **16-34.011(2)** Site limitations: maximum block face length;
- (b) **16-34.012** Sidewalks; provided, however, that the frontage along Bolton Road shall have a 5 foot street furniture and tree planting zone and a 6 foot clear zone. Furthermore, in the event that Moores Mill Road is extended south of Bolton Road and the remaining street frontage along the west side of the property does not allow for compliance with these requirements, the Bureau of Planning shall be authorized to consider a request for reduction of the required frontage as a minor change pursuant to Section 16-02.003(7) of the Code of Ordinances.
- (c) **16-34.013(1), (2), (3)(a)** Supplemental zone general requirements and widths, except that no supplemental zone is required for the frontage along Bolton Road;
- (d) **16-34.014** Relationship of building to street; provided, however, that paragraph (3) shall not apply to the building labeled "Grocery" and the south facades of Buildings B and D.
- (e) **16-34.016** Loading areas, loading dock entrances and building mechanical and accessory features; provided, however, that the requirements of paragraph (1) regarding screening for loading areas shall not apply to Buildings A, B and C, and provided further that any dumpsters located adjacent to Bolton Road shall be screened with a structure constructed of materials compatible with the design of the project;
- (f) **16-34.018(1), (2), (10), (13)** Curb cuts and parking structures, provided that (1) shall apply where feasible given the topography and grade; pavers or other similar materials may be used for (2); and (10) shall apply except at parking garage entrances;
- (g) **16-34.019** Lighting, security and maintenance requirements; and
- (h) **16-34.020** Minimum landscaping for surface parking lots; provided that landscape strips required in paragraph (2) may have an average width of five feet.

5. All storm water detention will be below ground.

6. Building F and the portion of Building E that faces Coronet Way exclusive of the northwest corner that will contain commercial space shall not exceed four stories in height.

7. There shall be no physical barriers to pedestrian and vehicular access to all street entrances, roadways and retail parking areas in the development other than gates or other mechanisms used within the parking decks to separate the residential parking areas from the commercial parking.

8. The following uses are prohibited:

- (f) Churches, synagogues, temples or other religious worship facilities;
- (g) Lodges;
- (h) Commercial greenhouses;
- (i) Convention halls, places of assembly and similar uses;
- (j) Dormitories, fraternity or sorority houses;
- (k) Group homes, congregate care homes, or centers for drug, alcohol, criminal or mental impairment rehabilitation;
- (l) Blood donor stations;
- (m) Hospitals;
- (n) Institutions of higher learning occupying more than 10,000 square feet;
- (o) Mortuary or funeral homes;
- (p) Adult businesses and adult bookstores;
- (q) Unenclosed car washes;
- (r) Outdoor sales areas of more than 30 days' duration other than merchandise offered for sale on sidewalks interior to the development by tenants of the development during the ordinary course of their businesses;
- (s) Pawn shops;
- (t) Repair garages, paint or body shops;
- (u) Retail establishments that derive 20% or more of total sales from the sale of guns and ammunition;
- (v) Rooming houses;
- (w) Single room occupancy residences; and

- (x) Commercial establishments in which check cashing is a significant business activity but not including banks, savings and loan associations or credit unions;
- (y) Broadcasting towers or line-of-site relay devices for telephone, radio or television communications unless said towers or devices are screened from view from any public street or are designed to look like a tree;
- (z) Bingo parlors;
- (aa) Pawn shops; and
- (bb) Truck stops.

9. On or before the date the Applicant applies for a special administrative permit or building permit or for any modification to the site plan pursuant to Section 16-02.003(7) of the Code of Ordinances, the Applicant shall provide to the Chair of NPU-C a copy of the site plan submitted as part of the permit application. Evidence of this transmittal shall be provided to the Bureau of Planning to the attention of the Zoning Administrator.



1. OWNER/DEVELOPER: CONCRETE WAY, LLC, 101 LYLE DANIELL, (24 HOUR CONTACT) 1911 Lake Street, Columbus, SC 29901  
 2. CIVIL ENGINEER: MOORE, GIBSON & ASSOCIATES, INC. 1801 Peachtree Road, Suite 100, Atlanta, GA 30303  
 (770) 455-1234

**BLOCK 3  
(Bldg. E)**  
 18,000 SF RETAIL MAXIMUM

**BLOCK 1  
(Grocery, Bldgs. A-C)**  
 100,000 SF RETAIL MAXIMUM

**BLOCK 4  
(Bldg. F)**

2-06-112  
 (REV. 10-03)  
**ZONING SITE PLAN**  
 GRAPHIC SCALE  
 1" = 100' 0"

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HAINES, GIBSON & ASSOCIATES, INC.  
 1801 Peachtree Road, Suite 100  
 Atlanta, GA 30303  
 PHONE: (770) 401-7500 FAX: (770) 401-7505  
**MOORE, GIBSON & ASSOCIATES, INC.**  
 1801 Peachtree Road, Suite 100  
 Atlanta, GA 30303  
 PHONE: (770) 401-7500 FAX: (770) 401-7505

NOT TO SCALE. THIS PLAN IS BASED ON CURRENT MAP AND AERIAL PHOTOGRAPHS. PROPOSED HIGH-IMPACT DEVELOPMENT.

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**NOTES:**

1. ACTUAL NUMBER OF RESIDENTIAL UNITS IN EACH BUILDING MAY VARY BUT OVERALL NUMBER IS LIMITED TO 548 UNITS.
2. CONSTRUCTION OF GROUND FLOOR PARKING MAY BE DEFERRED ON A UNIT-BY-UNIT BASIS. THE NUMBER OF PARKING SPACES IN THE PLANNING STUDY AREA WILL BE DETERMINED ON A UNIT-BY-UNIT BASIS. SPACER UNITS DETERMINATION OF ACTUAL SQUARE FOOTAGE, TYPE OF USE, AND NUMBER OF RESIDENTIAL UNITS.
3. THE NUMBER OF PARKING SPACES IN THE PLANNING STUDY AREA WILL BE DETERMINED ON A UNIT-BY-UNIT BASIS. SPACER UNITS DETERMINATION OF ACTUAL SQUARE FOOTAGE, TYPE OF USE, AND NUMBER OF RESIDENTIAL UNITS.
4. LOCATIONS OF INTERIOR STREETS AND SIDEWALKS, ON-STREET PARKING, ENTRANCES TO BUILDINGS, AND LANDSCAPE AREAS, LANDSCAPE AREAS, AND SIDEWALKS TO BE CONSTRUCTED. LANDSCAPE AREAS ARE APPROXIMATE AND MAY BE REVISED PURSUANT TO SECTION 14-2-205 OF THE CITY OF ATLANTA CODE OF ORDINANCES. ALL LANDSCAPE AREAS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF ATLANTA CODE OF ORDINANCES.
5. ACTUAL SQUARE FOOTAGE OF RESIDENTIAL AND NON-RESIDENTIAL AREAS FOR EACH BUILDING MAY VARY FROM THAT SHOWN ON THIS PLAN. THE ACTUAL SQUARE FOOTAGE FOR EACH BUILDING IS NOT EXCEEDED FOR THE SITE AS A WHOLE.

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**PROPOSED SITE PLAN SUMMARY:**

| NO. | DATE     | REVISIONS   |
|-----|----------|-------------|
| 1   | 10/10/03 | PRELIMINARY |
| 2   | 10/10/03 | REVISED     |
| 3   | 10/10/03 | REVISED     |
| 4   | 10/10/03 | REVISED     |
| 5   | 10/10/03 | REVISED     |
| 6   | 10/10/03 | REVISED     |
|     |          |             |

City Council  
Atlanta, Georgia

AN ORDINANCE  
BY: ZONING COMMITTEE

**Z-06-112**  
Date Filed: 10-05-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **2561 Bolton Road N.W., 2338, 2346, 2358, 2372, 2380 and 2390 Coronet Way, N.W., 2400 Coronet Way, N.W., and 2611 Bolton Road, N.W.**, be changed from the C-1 (Community Business) District to the C-3-C (Commercial Residential-Conditional) District, to wit:

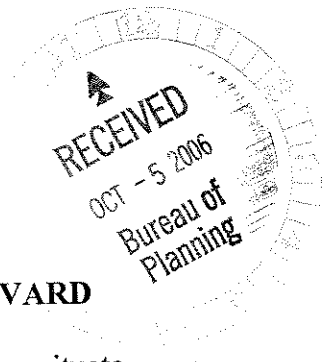
ALL THAT TRACT or parcel of land lying and being in Land 130 of the 17<sup>th</sup> District Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.





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## LEGAL DESCRIPTION

### MOORES MILL CENTER BOLTON ROAD, CORONET WAY, AND MARIETTA BOULEVARD

All that certain piece, parcel, or tract of land, with improvements thereon, situate in Fulton County, Georgia, containing 0.420 acre as shown on ALTA/ACSM Land Title Survey prepared for Edens & Avant and First American Title Insurance Company, Tax Parcel #17-230-01-072, Land Lot 230, 17<sup>th</sup> District, by Wolverton & Associates, dated February 10, 2006, said plat being incorporated herein by reference, said property being more particularly described as follows:

All that tract or parcel of land, lying and being in the City of Atlanta, Land Lot 230 of the 17<sup>th</sup> Land District, Fulton County, Georgia and being more particularly described as follows:

Commence at the intersection of the southwesterly right-of-way line of Coronet Way (50 foot width) and the southerly right-of-way line of Bolton Road (40 foot width); thence, along said Coronet Way right-of-way South 34 degrees 20 minutes 13 seconds East for a distance of 107.58 feet to a 1 inch open top pipe found, said point being the TRUE POINT OF BEGINNING;

**I**

thence, South 34 degrees 49 minutes 05 seconds East for a distance of 89.84 feet to a 60d nail in 30" oak tree set; thence, leaving said right-of-way South 54 degrees 27 minutes 16 seconds West for a distance of 207.13 feet to an iron pin set; thence, North 34 degrees 24 minutes 30 seconds West for a distance of 87.07 feet to a 1/2 inch rebar found; thence, North 53 degrees 40 minutes 55 seconds East for a distance of 206.56 feet to a 1 inch open top pipe found, said point being the TRUE POINT OF BEGINNING.

AND

All that certain piece, parcel, or tract of land, with improvements thereon, situate in Fulton County, Georgia, containing 0.310 acre as shown on ALTA/ACSM Land Title Survey for Edens & Avant and First American Title Insurance Company, Tax Parcel #17-230-01-027 Land Lot 230, 17<sup>th</sup> District, by Wolverton & Associates dated February 9, 2006, said plat being incorporated herein by reference, said property being more particularly described as follows:

All that tract or parcel of land, lying and being in the City of Atlanta, Land Lot 230 of the 17<sup>th</sup> Land District, Fulton County, Georgia and being more particularly described as follows:

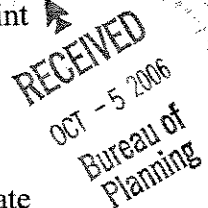
**II**

Commence at the intersection of the southwesterly right-of-way line of Coronet Way (50 foot width) and the southerly right-of-way line of Bolton Road (40 foot width); thence, along said Coronet Way right-of-way South 34 degrees 20

minutes 13 seconds East for a distance of 107.58 feet to a 1 inch open top pipe found; thence, South 34 degrees 49 minutes 05 seconds East for a distance of 89.84 feet to a 60d Nail set in a 30" Oak tree; thence, South 34 degrees 33 minutes 21 seconds East for a distance of 89.85 feet to a 1/2 inch rebar found, said point being the TRUE POINT OF BEGINNING;

thence, South 34 degrees 43 minutes 49 seconds East for a distance of 60.09 feet to an iron pin set; thence, leaving said right-of-way South 55 degrees 13 minutes 45 seconds West for a distance of 224.51 feet to an iron pin set; thence, North 35 degrees 11 minutes 55 seconds West for a distance of 13.80 feet to an iron pin set; thence, North 35 degrees 11 minutes 55 seconds West for a distance of 46.27 feet to an iron pin set; thence, North 55 degrees 13 minutes 30 seconds East for a distance of 17.68 feet to an iron pin set; thence, North 55 degrees 13 minutes 30 seconds East for a distance of 207.32 feet to a 1/2 inch rebar found, said point being the TRUE POINT OF BEGINNING.

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AND

All that certain piece, parcel, or tract of land, with improvements thereon, situate in Fulton County, Georgia, containing 0.310 acre as shown on ALTA/ACSM Land Title Survey prepared for Edens & Avant and First American Title Insurance Company, Tax Parcel #17-230-01-028, Land Lot 230, 17<sup>th</sup> District, by Wolverton & Associates, dated February 9, 2006, said plat being incorporated herein by reference, said property being more particularly described as follows:

All that tract or parcel of land, lying and being in the City of Atlanta, Land Lot 230 of the 17th Land District, Fulton County, Georgia and being more particularly described as follows:

III

Commence at the intersection of the southwesterly right-of-way line of Coronet Way (50 foot width) and the southerly right-of-way line of Bolton Road (40 foot width); thence, along said Coronet Way right-of-way South 34 degrees 20 minutes 13 seconds East for a distance of 107.58 feet to a 1 inch open top pipe found; thence, South 34 degrees 49 minutes 05 seconds East for a distance of 89.84 feet to a 60d nail set in 30" oak; thence, South 34 degrees 33 minutes 21 seconds East for a distance of 89.85 feet to a 1/2 inch rebar found; thence, South 34 degrees 43 minutes 49 seconds East for a distance of 60.09 feet to an iron pin set, said point being the TRUE POINT OF BEGINNING;

thence, South 34 degrees 43 minutes 49 seconds East for a distance of 60.09 feet to a 1 inch crimp top pipe found; thence, leaving said right-of-way South 55 degrees 14 minutes 00 seconds West for a distance of 224.60 feet to an iron pin set; thence, North 34 degrees 38 minutes 42 seconds West for a distance of 60.07 feet to an iron pin set; thence, North 55 degrees 13 minutes 45 seconds East for a distance of 224.51 feet to an iron pin set, said point being the TRUE POINT OF BEGINNING.



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AND

All that certain piece, parcel, or tract of land, with improvements thereon, situate in Fulton County, Georgia, containing 0.309 acre as shown on ALTA/ACSM Land Title Survey prepared for Edens & Avant and First American Title Insurance Company, Tax Parcel #17-230-01-029 Land Lot 230, 17<sup>th</sup> District, by Wolverton & Associates, dated February 9, 2006, said plat being incorporated herein by reference, said property being more particularly described as follows:

All that tract or parcel of land, lying and being in the City of Atlanta, Land Lot 230 of the 17<sup>th</sup> Land District, Fulton County, Georgia and being more particularly described as follows:

IV

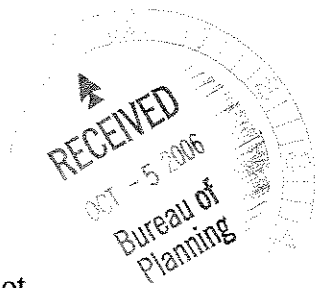
COMMENCE at the intersection of the southwesterly right-of-way line of Coronet Way (50 foot width) and the southerly right-of-way line of Bolton Road (40 foot width); thence, along said Coronet Way right-of-way South 34 degrees 20 minutes 13 seconds East for a distance of 107.58 feet to a 1 inch open top pipe found; thence South 34 degrees 49 minutes 05 seconds East for a distance of 89.84 feet to a 60d Nail set in a 30" oak tree; thence South 34 degrees 33 minutes 21 seconds East for a distance of 89.85 feet to a ½ inch rebar found; thence South 34 degrees 43 minutes 49 seconds East for a distance of 60.09 feet to an iron pin set; thence South 34 degrees 43 minutes 49 seconds East for a distance of 60.09 feet to a 1 inch crimp top pipe found, said point being the TRUE POINT OF BEGINNING.

THENCE South 34 degrees 20 minutes 24 seconds East for a distance of 60.14 feet to a 1 inch crimp top pipe found; thence leaving said right-of-way South 55 degrees 15 minutes 09 seconds West for a distance of 223.15 feet to an iron pin set; thence North 35 degrees 43 minutes 31 seconds West for a distance of 60.07 feet to an iron pin set; thence North 55 degrees 14 minutes 00 seconds East for a distance of 224.60 feet to a 1 inch crimp top pipe found, said point being the TRUE POINT OF BEGINNING.

AND

All that certain piece, parcel, or tract of land, with improvements thereon, situate in Fulton County, Georgia, containing 0.307 acre as shown on ALTA/ACSM Land Title Survey prepared for Edens & Avant and First American Title Insurance Company, Tax Parcel #17-230-01-030, Land Lot 230, 17<sup>th</sup> District, by Wolverton & Associates, dated February 9, 2006, said plat being incorporated herein by reference, said property being more particularly described as follows:

All that tract or parcel of land, lying and being in the City of Atlanta, Land Lot 230 of the 17<sup>th</sup> Land District, Fulton County, Georgia, and being more particularly described as follows:



All that tract or parcel of land, lying and being in the City of Atlanta, Land Lot 230 of the 17<sup>th</sup> Land District, Fulton County, Georgia and being more particularly described as follows:

V 2358

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Commence at the intersection of the southwesterly right-of-way line of Coronet Way (50 foot width) and the southerly right-of-way line of Bolton Road (40 foot width); thence, along said Coronet Way right-of-way South 34 degrees 20 minutes 13 seconds East for a distance of 107.58 feet to a 1 inch open top pipe found; thence, South 34 degrees 49 minutes 05 seconds East for a distance of 89.84 feet to a 60d nail set in 30" oak; thence, South 34 degrees 33 minutes 21 seconds East for a distance of 89.85 feet to a 1/2 inch rebar found; thence, South 34 degrees 43 minutes 49 seconds East for a distance of 60.09 feet to an iron pin set; thence, South 34 degrees 43 minutes 49 seconds East for a distance of 60.09 feet to a 1 inch crimp top pipe found; thence, South 34 degrees 20 minutes 24 seconds East for a distance of 60.14 feet to a 1 inch crimp top pipe found, said point being the TRUE POINT OF BEGINNING;

thence, South 34 degrees 34 minutes 44 seconds East for a distance of 59.99 feet to a 1 inch crimp top pipe found; thence, leaving said right-of-way South 55 degrees 14 minutes 00 seconds West for a distance of 222.52 feet to an iron pin set; thence, North 35 degrees 05 minutes 35 seconds West for a distance of 30.58 feet to a disturbed 1 inch open top pipe found; thence, North 35 degrees 15 minutes 12 seconds West for a distance of 29.48 feet to an iron pin set; thence, North 55 degrees 15 minutes 09 seconds East for a distance of 223.15 feet to a 1 inch crimp top pipe found.

AND

All that certain piece, parcel, or tract of land, with improvements thereon, situate in Fulton County, Georgia, containing 0.519 acre as shown on ALTA/ACSM Land Title Survey prepared for Edens & Avant and First American Title Insurance Company, Tax Parcel #17-230-01-031 and #17-230-01-054, Land Lot 230, 17<sup>th</sup> District by Wolverton & Associates, dated February 10, 2006, said plat being incorporated herein by reference, said property being more particularly described as follows:

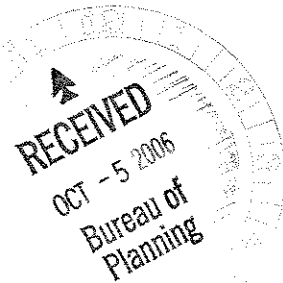
All that tract or parcel of land, lying and being in the City of Atlanta, Land Lot 230 of the 17<sup>th</sup> Land District, Fulton County, Georgia, and being more particularly described as follows:

VI

Commence at the intersection of the southwesterly right-of-way line of Coronet Way (50 foot width) and the southerly right-of-way line of Bolton Road (40 foot

width); thence, along said Coronet Way right-of-way South 34 degrees 20 minutes 13 seconds East for a distance of 107.58 feet to a 1 inch open top pipe found; thence, South 34 degrees 49 minutes 05 seconds East for a distance of 89.84 feet to an iron pin set; thence, South 34 degrees 33 minutes 21 seconds East for a distance of 89.85 feet to a 1/2 inch rebar found; thence, South 34 degrees 43 minutes 49 seconds East for a distance of 60.09 feet to an iron pin set; thence, South 34 degrees 43 minutes 49 seconds East for a distance of 60.09 feet to a 1 inch crimp top pipe found; thence, South 34 degrees 20 minutes 24 seconds East for a distance of 60.14 feet to a 1 inch crimp top pipe found; thence, South 34 degrees 34 minutes 44 seconds East for a distance of 59.99 feet to a 1 inch crimp top pipe found, said point being the TRUE POINT OF BEGINNING;

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# VI

THENCE, South 34 degrees 51 minutes 40 seconds East for a distance of 60.08 feet to a 1 inch open top pipe found; thence, leaving said right-of-way South 55 degrees 22 minutes 55 seconds West for a distance of 222.29 feet to a 1/2 inch rebar found; thence, South 55 degrees 07 minutes 57 seconds West for a distance of 148.31 feet to a 1/2 inch rebar found on the northeasterly right-of-way of Marietta Boulevard (100 foot width); thence, along said right-of-way North 57 degrees 39 minutes 59 seconds West for a distance of 30.70 feet to an iron pin set; thence, leaving said right-of-way North 34 degrees 00 minutes 14 seconds East for a distance of 171.37 feet to a disturbed 1 inch open top pipe found; thence, South 35 degrees 05 minutes 35 seconds East for a distance of 30.58 feet to an iron pin set; thence, North 55 degrees 14 minutes 00 seconds East for a distance of 222.52 feet to a 1 inch crimp top pipe found, said point being the TRUE POINT OF BEGINNING.

AND

All that certain parcel of land, with improvements thereon, situate in Fulton County, Georgia, containing 0.306 acre as shown on ALTA/ACSM Land Title Survey prepared for Edens & Avant and First American Title Insurance Company, Tax Parcel #17-230-01-032, Land Lot 230, 17<sup>th</sup> District, City of Atlanta, Fulton County, Georgia, by Wolverton & Associates dated February 10, 2006, said plat being incorporated herein by reference, said property being more particularly described as follows:

All that tract or parcel of land, lying and being in the City of Atlanta, Land Lot 230 of the 17<sup>th</sup> Land District, Fulton County, Georgia and being more particularly described as follows:

Commence at the intersection of the southwesterly right-of-way line of Coronet Way (50 foot width) and the southerly right-of-way line of Bolton Road (40 foot width); thence, along said Coronet Way right-of-way South 34 degrees 20 minutes 13 seconds East for a distance of 107.58 feet to a 1 inch open top pipe found; thence, South 34 degrees 49 minutes 05 seconds East for a distance of 89.84 feet to a 60d nail set in 30" oak; thence, South 34 degrees 33 minutes 21

seconds East for a distance of 89.85 feet to a 1/2 inch rebar found; thence, South 34 degrees 43 minutes 49 seconds East for a distance of 60.09 feet to an iron pin set; thence, South 34 degrees 43 minutes 49 seconds East for a distance of 60.09 feet to a 1 inch crimp top pipe found; thence, South 34 degrees 20 minutes 24 seconds East for a distance of 60.14 feet to a 1 inch crimp top pipe found; thence, South 34 degrees 34 minutes 44 seconds East for a distance of 59.99 feet to a 1 inch crimp top pipe found; thence, South 34 degrees 51 minutes 40 seconds East for a distance of 60.08 feet to a 1 inch open top pipe found, said point being the TRUE POINT OF BEGINNING;

VII

thence, South 34 degrees 37 minutes 32 seconds East for a distance of 60.00 feet to an iron pin set; thence, leaving said right-of-way South 55 degrees 22 minutes 55 seconds West for a distance of 222.67 feet to an iron pin set; thence, North 34 degrees 15 minutes 18 seconds West for a distance of 60.00 feet to a 1/2 inch rebar found; thence, North 55 degrees 22 minutes 55 seconds East for a distance of 222.29 feet to a 1 inch open top pipe found, said point being the TRUE POINT OF BEGINNING.

AND

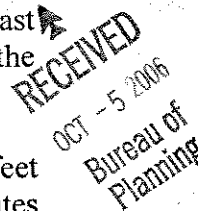
All that certain piece, parcel, or tract of land, with improvements thereon, situate in Fulton County, Georgia, containing .478 acres, more or less, as shown on ALTA/ACSM Land Title Survey prepared for Edens & Avant and First American Title Insurance Company, Tax Parcel #17-230-01-070-8, Land Lot 230, 17<sup>th</sup> District by Wolverton & Associates dated February 10, 2006, said plat being incorporated herein by reference, said property being more particularly described as follows:

Commence at the intersection of the southwesterly right-of-way line of Coronet Way (50 foot width) and the southerly right-of-way line of Bolton Road (40 foot width); thence, along said Coronet Way right-of-way South 34 degrees 20 minutes 13 seconds East for a distance of 107.58 feet to a 1 inch open top pipe found; thence South 34 degrees 49 minutes 05 seconds East for a distance of 89.84 feet to a 60d Nail set in a 30" Oak Tree; thence South 34 degrees 33 minutes 21 seconds East for a distance of 89.85 feet to a 1/2 inch rebar found; thence, leaving said right-of-way South 55 degrees 13 minutes 30 seconds West for a distance of 207.32 feet to an iron pin set; thence South 55 degrees 13 minutes 30 seconds West for a distance of 17.68 feet to an iron pin set, said point being the TRUE POINT OF BEGINNING;

VIII

THENCE South 35 degrees 11 minutes 55 seconds East for a distance of 46.27 feet to an iron pin set; thence South 33 degrees 16 minutes 21 seconds West for a distance of 233.79 feet to an "x" mark in concrete set on the northeasterly right-of-way of Marietta Boulevard (100 foot width); thence along said right-of-way North 57 degrees 39 minutes 59 seconds West for a distance of 74.15 feet to a 1/2 inch rebar found; thence leaving said right-of-way North 00 degrees 51 minutes

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55 seconds East for a distance of 80.42 feet to a PK nail found; thence North 55 degrees 13 minutes 30 seconds East for a distance of 198.47 feet to an iron pin set, said point being the TRUE POINT OF BEGINNING.

AND

All that certain piece, parcel, or tract of land, with improvements thereon, situate in Fulton County, Georgia, containing 0.702 acre as shown on ALTA/ACSM Land Title Survey prepared for Edens & Avant and First American Title Insurance Company, Tax Parcel #17-230-01-069 Land Lot 230, 17<sup>th</sup> District, by Wolverton & Associates, dated February 10, 2006, said plat being incorporated herein by reference, said property being more particularly described as follows:

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All that tract or parcel of land, lying and being in the City of Atlanta, Land Lot 230 of the 17th Land District, Fulton County, Georgia and being more particularly described as follows: IX

Commence at the intersection of the southwesterly right-of-way line of Coronet Way (50 foot width) and the southerly right-of-way line of Bolton Road (40 foot width); thence, along said Coronet Way right-of-way South 34 degrees 20 minutes 13 seconds East for a distance of 107.58 feet to a 1 inch open top pipe found; thence, South 34 degrees 49 minutes 05 seconds East for a distance of 89.84 feet to a 60d nail set in 30" oak; thence, South 34 degrees 33 minutes 21 seconds East for a distance of 89.85 feet to a 1/2 inch rebar found; thence, leaving said right-of-way South 55 degrees 13 minutes 30 seconds West for a distance of 207.32 feet to an iron pin set; thence, South 55 degrees 13 minutes 30 seconds West for a distance of 17.68 feet to an iron pin set; thence, South 35 degrees 11 minutes 55 seconds East for a distance of 46.27 feet to an iron pin set, said point being the TRUE POINT OF BEGINNING;

Thence, South 35 degrees 11 minutes 55 seconds East for a distance of 13.80 feet to an iron pin set; thence, South 34 degrees 38 minutes 42 seconds East for a distance of 60.07 feet to an iron pin set; thence, South 35 degrees 43 minutes 31 seconds East for a distance of 60.07 feet to an iron pin set; thence, South 35 degrees 15 minutes 12 seconds East for a distance of 29.48 feet to a disturbed 1 inch open top pipe found; thence, South 34 degrees 00 minutes 14 seconds West for a distance of 171.37 feet to an iron pin set on the northerly right-of-way of Marietta Boulevard (100 foot width); thence, along said right-of-way North 57 degrees 39 minutes 59 seconds West for a distance of 149.86 feet to an "x" mark in concrete set; thence, leaving said right-of-way North 33 degrees 16 minutes 21 seconds East for a distance of 233.79 feet to an iron pin set, said point being the TRUE POINT OF BEGINNING.

AND

All that certain parcel of land, with improvements thereon, lying and being in the City of Atlanta, Land Lot 230 of the 17<sup>th</sup> Land District, Fulton County, Georgia, containing 6.00 acres as shown on ALTA/ACSM Land Title Survey for: Edens and Avant & First American Title Insurance Company Tax Parcel #17-230-LL-131-0 and #17-230-LL-138-5, Land Lot 230, 17<sup>th</sup> District prepared by Wolverton & Associates dated January 4, 2006, said plat being incorporated herein by reference, said property being more particularly described as follows:

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Commence at the intersection of the southwesterly right-of-way line of Coronet Way (50 foot width) and the southerly right-of-way line of Bolton Road (40 foot width); thence, along said Bolton Road right-of-way North 77 degrees 40 minutes 51 seconds West for a distance of 180.78 feet to an iron pin set, said point being the True Point of Beginning.

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Thence, leaving said right-of-way South 00 degrees 58 minutes 01 seconds West for a distance of 302.14 feet to a PK nail found; thence North 55 degrees 25 minutes 25 seconds East for a distance of 92.25 feet to a ½ inch rebar found; thence South 34 degrees 24 minutes 30 seconds East for a distance of 174.13 feet to an iron pin set; thence South 55 degrees 13 minutes 30 seconds West for a distance of 216.15 feet to a PK nail found; thence South 00 degrees 51 minutes 55 seconds West for a distance of 80.42 feet to a ½ inch rebar found on the northeasterly right of way of Marietta Boulevard (100 foot width); thence, along said right-of-way North 56 degrees 40 minutes 29 seconds West for a distance of 559.84 feet to a DOT in the sidewalk; thence leaving said right-of-way North 00 degrees 43 minutes 57 seconds East for a distance of 394.30 feet to a 1 inch open top pipe found on the aforesaid southerly right-of-way of Bolton Road (40 foot width); thence, along said right-of-way South 77 degrees 29 minutes 43 seconds East for a distance of 483.71 feet to an iron pin set, said point being the True Point of Beginning.

X

All that tract or parcel of land lying and being in Land Lot 230 of the 17<sup>th</sup> Land District, Fulton County, Georgia, being parts of Lots 5 and 6 in Block "A" as shown on a Plat of Subdivision of Property of Thomas Moore, et a., made for Roy D. Warron by W.F. Harmon, Surveyor, dated August 25, 1944, recorded in Plat Book 33, page 44, in the Office of the Clerk of the Superior Court of Fulton County, Georgia, and being more particularly described as follows:

X

Beginning at a point at an iron pin found on the southwestern side of Coronet Way (formerly Chattahoochee Avenue), a 50 foot right-of-way, 189.9 feet southeasterly from the corner formed by the intersection of the southwestern side of Coronet Way with the southern side of Bolton Road, a 50 foot right-of-way; running thence South 54 degrees 04 minutes West a distance of 199.9 feet to an iron pin; running thence South 35 degrees 56 minutes East a distance of 90.27 feet to an iron pin; running thence North 53 degrees 57 minutes 30 seconds East a distance of 200.0 feet to an iron pin on the southwestern side of Coronet Way;



running thence North 36 degrees 00 minutes West a distance of 89.9 feet to an iron pin and the Point of Beginning.

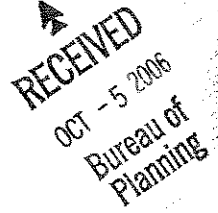
Said tract or parcel of land being shown on a survey for Michael Turkat made by Noel W. Cook, Registered Land Surveyor No. 1033, dated November 24, 1986, revised December 23, 1986, which is made a part hereof by reference.

All that tract or parcel of land lying and being in Land Lot 230 of the 17<sup>th</sup> District of Fulton County, Georgia and being more particularly described as follows:

XII

Beginning at the corner formed by the intersection of the southerly side of Bolton Road with the southwesterly side of Coronet Way, and from said point run in a slightly northwesterly direction along the southerly side of Bolton Road a distance of 185.5 feet to a point; running thence South a distance of 288.7 feet to a point; running thence in a northeasterly direction a distance of 293.5 feet to a point on the southwesterly side of Coronet Way; running thence in a northwesterly direction along the southwesterly side of Coronet Way a distance of 100 feet to the Southwest corner of Bolton Road and Coronet Way, the point or place of Beginning; being improved property known as No. 2611-2619 Bolton Road according to the present system of numbering in Fulton County, Georgia; in accordance with plat of survey entitled "Property of Copart Investments, Inc." made by H.V. Fitzpatrick, C.E. dated October 1964; and being the same property conveyed to Copart Investments, Inc. under Warranty Deed from Charles E. Hopkins, dated January 31, 1963, recorded in Deed Book 4006, page 454; Warranty Deed from Charles E. Hopkins dated January 31, 1963, recorded in Deed Book 4006, page 454; Warranty Deed from Charles E. Hopkins dated January 31, 1963, recorded in Deed Book 4006, page 439; and Warranty Deed from Mrs. Lottie H. Clements dated June 21, 1963, recorded in Deed Book 4079, page 60, Public Records of Fulton County, Georgia.

Together with appurtenant easement from R.M. Barnett to Copart Investments, Inc., dated November, 1963, filed for record November 27, 1963, and recorded in Deed Book 4155, page 472.



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RCS# 684  
11/06/06  
2:31 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-2302,2303,2304,2305,2306,2307,2308  
2309,2310,2311,2312,2313,2314  
           REFER ZRB/ZON.

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 3

|           |             |           |            |
|-----------|-------------|-----------|------------|
| Y Smith   | Y Archibong | Y Moore   | Y Mitchell |
| B Hall    | B Fauver    | B Martin  | Y Norwood  |
| Y Young   | Y Shook     | Y Maddox  | NV Willis  |
| Y Winslow | Y Muller    | Y Sheperd | NV Borders |

MULTIPLE